

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

United States Courts  
Southern District of Texas  
FILED

APR 28 2010

UNITED STATES OF AMERICA  
Plaintiff

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§

VS.

CIVIL ACTION NO: 4:10-CV-00712

\$14,330.00 IN U.S. CURRENCY  
Defendant

Clerk of Court

**ANSWER OF ALI REZA MEHDI TO THE  
VERIFIED COMPLAINT FOR FORFEITURE IN REM  
AND DEMAND FOR JURY TRIAL**

TO THE HONORABLE JUDGE OF SAID COURT:

Claimant ALI REZA MEHDI, by and through the undersigned attorney, respectfully files this Answer to the Verified Complaint for Forfeiture in Rem and Demand for Jury Trial, and in support thereof would show:

1. The allegation in paragraph 1 of the Complaint, Nature of the Action, is admitted.
2. The allegation in paragraph 2 of the Verified Complaint, identifying \$14,330.00 as Defendant in Rem, is admitted.
3. The allegations in paragraphs 3 and 4 of the Complaint as to jurisdiction and venue are legal conclusions and are denied.
4. Claimant denies the first sentence of paragraph 5 alleging that the Defendant in rem \$14,330.00 is subject to forfeiture.
5. Claimant is without knowledge or information sufficient to form a belief about the allegations in paragraph 6 of the Complaint.
6. Claimant is without knowledge or information sufficient to form a belief about the allegations in paragraph 7 of the Complaint.
7. Claimant did not know of the conduct alleged in the Complaint giving rise to forfeiture of the Defendant in Rem Property. Claimant did not become aware of the allegations in the Complaint until after the Defendant in Rem Property was seized by the United States.
8. Claimant asserts the affirmative defense pursuant to 18 U.S.C. § 983(d), that Claimant is an innocent owner of \$1,500.00 of the Defendant in Rem Property, which is not, nor is it traceable to, the proceeds of any criminal offense.

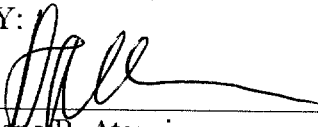
9. Claimant asserts the affirmative defense that the forfeiture is an excessive fine in violation of the 8<sup>th</sup> amendment. The offense was solely one of reporting; the violation was unrelated to any other illegal activities; the claimant does not fit into the class of persons [money launderers, drug traffickers, tax evaders, etc.] for whom the statute was principally designed, and the harm caused by the defendant's action--depriving the government of information--was minimal..

10. Claimant requests a trial by jury.

WHEREFORE, PREMISES CONSIDERED, ALI REZA MEHDI, Claimant, respectfully requests that the Court enter judgment that Plaintiff, the United States, take nothing, and enter judgment in favor of Claimant, and award Claimant all other relief to which he may be justly entitled

Respectfully Submitted,  
LAW OFFICE OF DIANA P. ATENCIA  
10101 Southwest Freeway Suite 650  
Houston, Texas 77074  
Telephone No. : (713) 774-1660  
Fax No.: (713) 774-1661

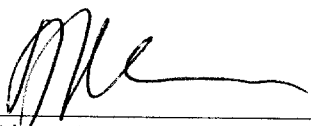
BY:

  
\_\_\_\_\_  
Diana P. Atencia  
SDTX No. 21112  
Tx Bar No.: 24034231  
ATTORNEY FOR DEFENDANT-CLAIMANT  
ALI REZA MEHDI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28<sup>th</sup> day of APRIL, 2010, a true and correct copy of the foregoing *Answer of ALI REZA MEHDI to Complaint for Forfeiture In Rem and Demand for Jury Trial* and attached *Affidavit of ALI REZA MEHDI* was sent to the following parties by regular mail and facsimile transmission.

Albert Ratliff  
Assistant U.S. Attorney  
P.O. Box 61129  
Houston, Texas 77208-1129  
Fax No. (713) 718-3300  
Attorney for the United States, Plaintiff

  
\_\_\_\_\_  
Diana P. Atencia

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA  
Plaintiff

VS.

\$14,330.00 IN U.S. CURRENCY  
Defendant

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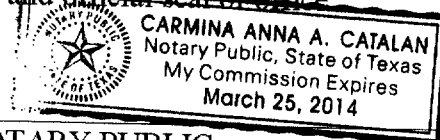
AFFIDAVIT OF ALI REZA MEHDI

I have reviewed the Answer to the Verified Complaint For Forfeiture In Rem And Demand For Jury Trial filed on my behalf, and solemnly swear that its contents are based on my personal knowledge, where applicable, and are true and correct.

  
\_\_\_\_\_  
ALI REZA MEHDI

STATE OF TEXAS §  
COUNTY OF HARRIS §

Subscribed and sworn to before me this 28th day of April, 2010, by ALI REZA MEHDI, known to me as witnessed by my hand and official seal of office



NOTARY PUBLIC

